

**IN THE DRAWINGS**

Attachment: New Sheet 5

## **REMARKS/ARGUMENTS**

Reconsideration and continued examination of the above-identified application are respectfully requested.

### **Specification**

The applicant has added paragraphs [0020.1] and [0038.1] to introduce and describe the new FIG. 5 submitted herewith on new drawing sheet 5.

The applicant has voluntarily amended paragraphs [0034], [0035], [0037], and [0038] to correct incorrect FIG. references.

### **Drawings**

The Examiner has objected to the drawings for not illustrating a method as described in claims 25-35. In response, the applicant has submitted herewith new drawing sheet 5 which includes new FIG. 5. FIG. 5 illustrates the steps of method claim 25-35. Support for this amendment is found in, at least, the originally filed claims 25-35.

The applicant also submits that the methods steps are of claims 25-35 are also illustrated by Figures 1-4 (and the Figures' corresponding explanations in the description) wherein the arrows illustrate the method steps of specific embodiments of the invention. For example, with respect to the first step of claim 30, Figure 1 shows that an input signal is received by Data Encoder and Modulator 110 and that Data Encoder and Modulator generates an encoded and modulated signal 145 as well as a data indicator signal 150. For the above reasons, reconsideration of the objection is respectfully urged.

### **Rejection Under 35 USC § 103**

The Examiner has rejected claims 1, 2, 5-10, 17, 18, 20, 21, 25-28, 31, and 36-38 as being unpatentable over Jeong et al. (U.S. Pub. No. 2002/0080887) in view of Hiltunen (U.S. Pub. No. 2003/0086398) and Rosnell (U.S. Pub. No. 2004/0251962). Responsive to the Examiner's rejection, the applicant has cancelled claims 36-38 without prejudice. The applicant has amended independent claims 1, 17, and 25 to incorporate the limitations of dependent claims 4, 22 and 29 respectively. Accordingly, claims 2, 3, 4, 22 and 29 have been cancelled. Claims 23 and 24 have also been amended to depend from claim 17 and to clarify that the mapping function is a "multidimensional" mapping function. On the basis that the subject matter of claims 4, 22 and 29 was allowable, as indicated by the Examiner, the applicant submits that amended claims 1, 17, 25 and claims dependent thereon are also allowable.

With respect to claim 31, the applicant submits that claim 31 depends from claim 30, which the Examiner has stated is allowable. On the basis that claim 30 is allowable, the applicant submits that claim 31 is also allowable.

### **Rejection Under 35 USC § 112**

The Examiner has rejected claims 7, 11, 16, 25, and 30 because the recitation "optimized power efficiency while still meeting out of band spurious emissions and waveform quality requirements" is not clear. In response, the applicant has amended these claims to recite that the mapping function selects a transmit power value for optimized transmitter power efficiency while still meeting out of band spurious emissions and waveform quality requirements. Support for these amendments is found, for example, in paras. [0030] and [0031], which describe how the mapping function determines the optimal signal that gives the best transmitter power efficiency. Further, one with ordinary skill in the art would understand that the term "optimized power efficiency" in the claims means that the power

efficiency is improved as much as possible while still meeting the requirements.

Reconsideration of the rejection is therefore respectfully urged.

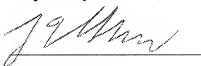
The Examiner has similarly rejected claim 38. This rejection is now moot as claim 38 has been canceled.

The Examiner has rejected claims 1 and 2 on the basis that a combination of the two claims is indefinite. This rejection is now moot as claim 2 has been canceled.

The Examiner has rejected claims 8 and 21 for reciting parameters that are unclear. In response, the applicant has amended claims 8 and 21 to recite "a stage switch-in, a stage switch-off, a turning on, a turning off, ... an amplifier class change". The applicant submits that a person having ordinary skill in the art would understand the meaning of these terms. Reconsideration of the rejection is therefore respectfully urged.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favourable reconsideration and allowance is respectfully urged.

Respectfully submitted,



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